

REMARKS

The office action has been carefully considered and amendments have been made to the rejected independent claims in an effort to place them in condition for allowance.

In an effort to place the rejected independent claims in condition for immediate allowance, identical amendatory language has been added to them to more clearly differentiate the method as claimed in claim 1 as well as the system of claim 16 and the log manager device driver of claim 17 from the Ote patent.

More particularly, the plurality of computers set forth in each of these claims has been modified to recite “including managing and non-managing computers”. The method of claim 1 is now directed to a method for logging event data from at least one operable application program on a plurality of computers including managing and non-managing computers that comprises the steps of, *inter alia*, responding to a download request for said log manager file from any requesting one of said plurality of computers by said volume manager device driver so that said requesting computer can use said log manager file to perform diagnostic or troubleshooting activities.

The examiner summarized the previous office action and applicants’ arguments with regard to the rejected claims by stating that “applicant is reminded of the cited text at column 1, lines 8-23 which clearly engages a plurality of servers to be managed and managing clients that are situated in a network environment. To its minimal extreme, as exemplified in Figs. 1A-1B, a local managing computer and a remote managing computer still constitute the so-called ‘a plurality of computers’”.

Applicants submit that the text of column 1, lines 8-23 are not particularly relevant to applicants’ invention as claimed. Applicants also contend that the examiner’s position that a local managing computer and a remote managing computer constitute a plurality of computers is a distortion of the meaning of the term plurality. In the context of the specification of the present invention, there may be many computers in a network and some of the plurality of computers may be managing computers and others may not be. Ote has only a “plurality” of two inasmuch as Figs. 1A and 1B clearly show only a managing computer 23 and a remote

managing computer 27. It is applicants' belief that Ote simply does not operate in the same manner as the present invention. To further differentiate applicants' invention from Ote, applicants have now claimed that the plurality of computers include managing in non-managing computers.

Since any requesting computer can be a non-managing computer, Ote does not teach or suggest the invention as claimed, because Ote does not contemplate or suggest all of the computers having the capability of using the event data to perform diagnostic or troubleshooting activities. This is believed to be patentably different from the operation of Ote and applicants respectfully request reconsideration and allowance of this claim. Because similar amendments have been made to the system claim of 16 as well as the log manager device driver claim 17, the arguments made with respect to claim 1 equally apply to these claims.

Since the rejected dependent claims necessarily include the features of the independent claims from which they depend, in addition to reciting other features not found in those claims, it is believed that the depend claims are also in condition for immediate allowance.

For the foregoing reasons, reconsideration and allowance of all pending claims in the application is respectfully requested.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By


Roger D. Greer
Registration No. 26,174

June 13, 2005

300 South Wacker Drive, Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978